

Merchant Services Network's Privacy Statement

Recognition of your Expectation of Privacy

At Merchant Services Network, we value our customers and take pride in offering credit card processing services that meet our customers' individual needs. We respect the trust our customers have in Merchant Services Network and place the highest priority on our customers' privacy. Technological advances have created the ability for businesses to collect information in increasing amounts. Consumers are concerned about the impact this may have on their privacy. We are sensitive to the importance of these concerns. As a Merchant Services Network customer, you can rely on responsible treatment of any personal information you share with us. Our goal is to protect your confidential information no matter how we receive it: in person at one of our representative locations, through our corporate office, over the telephone, or online at our Internet website. **This privacy statement principally governs Merchant Services Network's use of non-public personal consumer information.**

Non-Public Personal Information (NPI). Non-public personal information is defined in applicable law and generally means financial information that is identified with the customer that is not obtainable from a public source.

Non-public information includes information that is provided on an application or in a consumer report, account balance and history. Other non-public information includes any list, descriptions, or other grouping of consumers that is created using non-public information, whether or not the list also includes public information.

Information that **is not** considered non-public information includes any list, description, or grouping that is created using only public information. Information gathered using government records, such as real estate records or security interest filings, widely distributed media, such as a telephone book or newspaper, or legally required disclosures to the general public.

Collection, Retention and Use of Personal Customer Information

We collect, retain, and use individual customer information only when we reasonably believe it would be necessary, and allowable by law, to administer to our business needs in providing products, services and other opportunities to our customers. We will tell you why we are collecting and retaining the information upon your request. In the conduct of business, we use:

- Information we receive from you on applications or other forms such as your name, address, date of birth, and social security number;
- Information about your transactions with us, any affiliates, or others such as your, payment history, parties to transactions and debit or credit card transaction volumes; and
- Information we receive from a consumer-reporting agency or similar reporting agency, such as "your creditworthiness and credit history".

When you use our Merchant Help Desk services, Merchant Services Network and the third party businesses that assist us in delivering this service to you could have access to portions of your personal information. This information is retained on Merchant Services Network's system or our agent's systems in order to provide you with the requested services.

Restrictions on the Disclosure of Account Information to Parties Other Than Merchant Services Network Companies.

We do not reveal customer account or other personally identifiable information to unaffiliated third parties for their independent use. However, we may exchange information with reputable reporting agencies to maximize the accuracy and security of the information. Additional exceptions that we must honor on behalf of our customers include:

- Providing information to help complete a customer initiated transaction
- Responding to a customer's formal request to disclose their own account information
- Disclosing information that is required by or allowed by law (subpoena, the investigation of fraudulent activity, compliance with Federal regulation, etc.)
- Others who have signing authority over the account that give Merchant Services Network oral or written permission.

Maintaining Customer Privacy in Business Relationships with Third Parties

Whenever we provide customer information to third party vendors, we insist that these vendors and service companies agree to safeguard our confidential information about you and your products and services with us and abide by applicable law.

Maintenance of Accurate Customer Information

At Merchant Services Network, we believe it is important that the information maintained about your account(s) is accurate, current and complete in accordance with reasonable business standards. Internal controls are maintained to help ensure the accuracy of such information. If you believe that such information is inaccurate or incomplete, please call or write to us at the telephone number or address listed on your account statement. If we become aware of inaccuracies in our records, we will take prompt steps to make appropriate corrections.

If you wish to review information regarding your accounts, please call or write to us at the telephone number or address listed on your account statement. Depending on the research required to compile the requested information, If we are unable to comply with your request, the reasons why will be explained, such as information no longer exists or is impractical to retrieve.

Employee Access to Information and Use of Customer Information

We limit our employees' access to personally identifiable customer information requiring them to have a valid business reason for knowing such information. We educate our employees so they understand the importance of customer confidentiality and privacy, and we take appropriate disciplinary measures to enforce employee privacy responsibilities. In addition, our Code of Conduct provides the standards that each employee is expected to meet in protecting the privacy and confidentiality of our customers and any information about our customers supplied to us. Our employees are prohibited from discussing or disclosing customer information (whether inside or outside of the bank), unless required to do so to transact business on behalf of Merchant Services Network.

Protection of Information via Established Security Procedures

Merchant Services Network has established security standards and procedures to guard and protect customer information against unauthorized access. These controls and procedures are periodically reviewed and tested to ensure that these practices or processes protect your confidential information. In addition, management and staff are able to access your customer information only if and when they have a business reason.

Disclosure of Privacy Principles to Customers

Customers might have special privacy concerns regarding Merchant Services Network's services on the Internet. We are equally concerned about privacy on the Internet and are committed to the same Privacy Principles with regard to our customers' information. If at any time you have a concern about your information security or privacy issues, you may contact us by e-mail at marketing@msnps.com, by telephone at (888) 668-2650, or write us at Merchant Services Network, 3031 Fortune Way, Bldg A, Suite 11-17, Wellington, FL 33414.

Merchant Services Network reserves the right to change our privacy statement, these privacy principles and any related provisions at any time.

